

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE OF NEVADA**

## THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office NOV 14 2007

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed NOV 20 2007The applicant MGC Resources, Inc.2778 Spokane Creek Road of East Helena

Street Address or P.O. Box

City or Town

Montana 59635

State and Zip Code

\_\_\_\_\_ hereby make(s) application for permission to appropriate  
the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of  
incorporation; if a copartnership or association give names of members.)

April 26, 2004, State of Nevada.

1. The source of water is underground  
Name of stream, lake, underground, spring or other source.
2. The amount of water applied for is 2.228 cfs or 1000 gpm second feet.  
One second foot equals 448.83 gallons per minute.
- (a) If stored in reservoir give number of acre-feet \_\_\_\_\_
3. The water to be used for Mining, milling and dewatering  
Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use.
4. If use is for:
- (a) Irrigation, state number of acres to be irrigated \_\_\_\_\_
- (b) Stockwater, state number and kind of animals \_\_\_\_\_
- (c) Other use (describe fully in No. 12) \_\_\_\_\_
- (d) Power:
- (1) Horsepower developed \_\_\_\_\_
- (2) Point of return of water to stream \_\_\_\_\_

141-217

5. The water is to be diverted from its source at the following point: (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a found section corner. If on unsurveyed land, it should be so stated.)

Within the <sup>NE</sup> NW 1/4 of the <sup>SE</sup> SW 1/4 of Section <sup>30</sup> 28, T.5N., R.44E., M.D.M., or at a point from which the northwest corner of said Section 28 bears North ~~01°27'38"~~ <sup>00°35'54"</sup> West a distance of ~~3304.32~~ <sup>3139.76</sup> feet. (Red Emerald well)

87M  
11-16-07

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

Refer to EXHIBIT "A", attached.

7. Use will begin about January 1 and end about December 31 of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

Drilled well, pump, meter and pipelines.

9. Estimated cost of works: in excess of \$1,000,000.

10. Estimated time required to construct works: 3 years

(If well completed, describe works.)

11. Estimated time required to complete the application of water to beneficial use: 5 years

12. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):  
(Failure to provide a detailed description may cause a delay in processing.)

Water diverted from this well will be used for mining, milling and dewatering.

13. Miscellaneous remarks:

Aggregate total of water appropriated under this application, two other applications submitted the same date and Application No. 75311 shall not exceed a combined annual duty of 1000 gpm.

glindesmith@tristateld.com

E-mail Address

(775) 358-9491

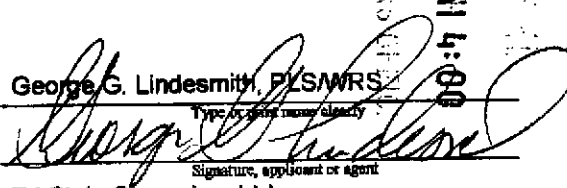
Phone No.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

George G. Lindesmith, PLS/WRS

Type or print name clearly

By



Signature, applicant or agent

Tri State Surveying, Ltd.

Company Name

1925 E. Prater Way

Street Address or P.O. Box

Sparks, Nevada 89434

City, State, Zip Code

**\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION**

Revised 11-07

Protested: January 9, 2008, by Tonopah Public Utilities c/o Stanley Howerton

## EXHIBIT "A", PROPOSED PLACE OF USE, MGC RESOURCES, INC.

Division	Section	Township	Range	Meridian
Lot 1	5	4N	44E	M.D.M.
Lot 4	5	4N	44E	M.D.M.
SW NW	5	4N	44E	M.D.M.
SE NE	5	4N	44E	M.D.M.
SW	5	4N	44E	M.D.M.
SE	5	4N	44E	M.D.M.
SW	24	5N	43E	M.D.M.
SE	24	5N	43E	M.D.M.
All	25	5N	43E	M.D.M.
All	16	5N	44E	M.D.M.
All	20	5N	44E	M.D.M.
All	21	5N	44E	M.D.M.
All	28	5N	44E	M.D.M.
All	29	5N	44E	M.D.M.
All	30	5N	44E	M.D.M.
Lot 1	31	5N	44E	M.D.M.
NE NW	31	5N	44E	M.D.M.
NW NE	31	5N	44E	M.D.M.
NE NE	31	5N	44E	M.D.M.
NW	32	5N	44E	M.D.M.
NE	32	5N	44E	M.D.M.
NW SW	32	5N	44E	M.D.M.
NE SW	32	5N	44E	M.D.M.
SE	32	5N	44E	M.D.M.
All	33	5N	44E	M.D.M.